

### **REMARKS**

This submission is filed in conjunction with a Request for Continued Examination under 37 C.F.R. 1.114 after the Final Official Action mailed April 25, 2008. Applicants believe that this submission fully complies with 37 C.F.R. 1.111 with respect to the Final Office Action as required by 37 C.F.R. 1.114(c).

### **Status of the Claims**

Claims 1, 2, 8, 18, and 24 have been amended herein. No new matter has been added.

Claims 5, 12, 13, and 21 have been canceled herein without prejudice or disclaimer of the subject matter therein.

Claims 1-4, 6-11, 14-20, and 22-24 are currently pending.

### **Claim Rejections -- 35 U.S.C. § 103**

I. Claims 1-3, 5, 8-9, 12-13, 18-19, 21, and 24 are rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 6,419,579 to Bennett ("Bennett") in view of U.S. Patent No. 6,942,572 to Inoue ("Inoue"). Applicants respectfully traverse.

Bennett discloses a game machine with a "Die Walker" multiplier feature. When the feature is triggered, a Die appears and is moved in a path to the positions of the symbols displayed in the window of the game machine. The Die functions as a wild card symbol. When the Die moves to a position in which a winning combination is formed with the other symbols in the window, the win meter increments and the player is paid a prize. However, Bennett fails to disclose changing the Die to one of the other symbols that the Die is "substituting" for as the wild card. When the die moves into a position that forms multiple winning combinations, the wild card die remains a die symbol. The die does not change on a time interval to the other symbols that form the winning combinations.

Inoue discloses a game machine wherein when a win occurs, the symbols constituting the win are illuminated.

Neither Bennett nor Inoue disclose a winning arrangement formed with a wildcard symbol, wherein the wildcard symbol changes to one of the other symbols that form the winning arrangement. In contrast, amended independent claims 1 and 2 recite that “said display mechanism uses a time interval to change said at least one wild symbol shared in said winning arrangements to the other types of said symbols that established said winning arrangements.”

For example, when multiple winning arrangements are established that include a shared wild symbol, the display mechanism changes the wild symbol to one of the other symbols the wildcard is “substituting” for to create the win. As an illustrative example, the application describes with respect to Figs. 7 and 8 that the wildcard symbol is changed between an ant and a mole symbol to indicate to the player that the wildcard symbol is functioning as an ant symbol to form one win and as a mole symbol to form the second win. Thus, the player can easily recognize which arrangement of symbols has formed the win. Bennett fails to disclose this arrangement. In Bennett the die moves through the various positions and when the die moves into a position to create a win with the other symbols, the player is paid accordingly. However, the die symbol remains a die while it is in that position so the player is not informed which symbol the wild die is functioning as to create the win with the other symbols. Thus, the player may be wondering why a payout is occurring. Inoue also fails to disclose changing a wild symbol to one of the other symbols that forms a win. Accordingly, Applicants submit that neither Bennett nor Inoue teach or suggest each and every element of amended claims 1 and 2 and thus, fail to render claims 1 and 2 and their dependent claims obvious.

Amended claim 8 recites “changing on a time interval at least one common wild symbol shared in said winning arrangements to the other types of said symbols that established said winning arrangements,” amended claim 18 recites “changing on a time interval at least one common wild

symbol shared in said winning arrangements to the other types of said symbols that established said winning arrangements,” and amended claim 24 recites that “the display mechanism uses a time interval to change the common wild symbol shared in the winning arrangements to the other types of symbols that established the winning arrangements” For similar reasons stated above with respect to claims 1 and 2, Applicants submit that neither Bennett nor Inoue teach or suggest the changing of the wild symbol as recited in the claims. Accordingly, Applicants submit that neither Bennett nor Inoue teach or suggest each and every element of amended claims 8, 18, and 24 and thus, fail to render claims 8, 18, and 24 and their dependent claims obvious.

In view of the above, Applicants respectfully request withdrawal of the rejection.

II. Claims 4, 6, 10, 11, 20, and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett and Inoue and further in view of U.S. Patent No. 6,837,790 to Kaminkow (“Kaminkow”). Applicants respectfully traverse.

First, these claims depend, either directly or indirectly, from claims that are patentable, as discussed above in Section I - *e.g.*, independent claims 1, 2, and 8. Therefore, claims 4, 6, 10, 11, 20, and 22 are also patentable. *See In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988) (claims dependent on a patentable claim are also patentable over the prior art). However, these claims are also independently patentable.

Kaminkow discloses a gaming device with a moving screen simulation. For example, when a predetermined combination of symbols is displayed, a bonus round is triggered, which may display screen shots of oil derricks against a solid color background. The computer repositions the derricks and background to create the illusion the physical screen is vibrating or shaking. However, Kaminkow, similar to Bennett and Inoue discussed above, fails to disclose a display mechanism that uses a time interval to change a wild symbol shared in a winning arrangements to the other types of symbols that established the winning arrangement. Moreover, Kaminkow fails to disclose or suggest this feature in combination with vibrating as set forth in claims 4, 6, 10, 11, 20, and 22.

Accordingly, Applicants submit that the art of record fails to teach, suggest or make obvious claims 4, 6, 10, 11, 20, and 22. Applicants respectfully request withdrawal of the rejection.

III. Claims 7, 14-15, 17, and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of Inoue and further in view of U.S. Patent No. 5,205,555 to Hamano ("Hamano"). Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of Inoue and Kaminkow, and further in view of Hamano. Applicants respectfully traverse.

Claims 7, 14-15, 16, 17 and 23 depend, either directly or indirectly, from patentable claims, *e.g.*, independent claims 1, 2, and 8, and are therefore also patentable. *See In re Fine, supra*. However, these claims are also independently patentable.

Hamano discloses a gaming device with bonus point multipliers. Hamano, similar to Bennett, Inoue and Kaminkow as discussed above, fails to disclose or suggest a display mechanism that uses a time interval to change a wild symbol shared in a winning arrangements to the other types of symbols that established the winning arrangement. Hamano also fails to disclose or suggest this feature in combination with the selection module as set forth in claims 7, 14-15, 16, 17 and 23. Accordingly, Applicants submit that the art of record fails to teach, suggest or make obvious these claims. Applicants respectfully request that the rejection be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants submit that the application is in condition for allowance. It is respectfully requested that all pending claims be allowed and the case passed to issue.

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Respectfully submitted,

By     /Kevin L. Reiner/      
Kevin L. Reiner  
Registration No.: 43,040  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(212) 527-7700  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant